



Control Number: 51415



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SOAH DOCKET NO. 473-21-0538  
PUC DOCKET NO. 51415

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APPLICATION OF SOUTHWESTERN § BEFORE THE STATE OFFICE  
ELECTRIC POWER COMPANY FOR § OF  
AUTHORITY TO CHANGE RATES § ADMINISTRATIVE HEARINGS  
§  
§

FILED BY COMMISSION  
FILING CLERK

**SIERRA CLUB'S NOTICE OF SOUTHWESTERN ELECTRIC POWER COMPANY  
CLAIMED HIGHLY SENSITIVE INFORMATION CONTAINED IN  
PREFILED DIRECT TESTIMONY OF DEVI GLICK**

Sierra Club files this notice under paragraph 25 of the protective order approved and in effect in this proceeding.<sup>1</sup> On March 31, 2021, Sierra Club filed the prefiled Direct Testimony and Exhibits of Devi Glick in this proceeding. Sierra Club publicly filed the redacted version of its Direct Testimony of Devi Glick at the Commission pursuant to the protective order. Concurrently with its public filing, Sierra Club submitted unredacted pages containing highly sensitive protected information to the Commission and SOAH under seal. The unredacted pages contain information that Southwestern Electric Power Company ("SWEPCO") has designated as confidential Protected Material and/or confidential Highly Sensitive Protected Material ("HSPM") and provided to Sierra Club, a reviewing party, under the protective order.

Pursuant to the protective order, a producing party shall file a written statement indicating: (a) any exemptions to the Public Information Act claimed to apply to the alleged Protected Material and/or HSPM; (b) the reasons supporting claims that the responsive information is exempt from public disclosure; and (c) that the party's counsel for the producing party has reviewed the information sufficiently to state in good faith that the information is exempt from public disclosure. SWEPCO filed such notices with its disclosure of the information included in the Direct Testimony of Devi Glick.

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<sup>1</sup> Appendix C to Petition and Statement of Intent to Change Rates (Oct. 13, 2020) (SWEPCO's proposed protective order); SOAH Order No. 1 (Nov. 2, 2020) (adopting SWEPCO's proposed protective order).

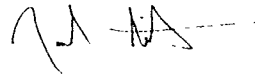
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Reviewing parties must treat the information confidentially, must file the information under seal in sealed marked envelope(s) pursuant to the requirements of the protective order, and must give notice of any intent to use the confidential information by offering it into evidence or disclosing it into the record of the proceeding.

Sierra Club does not assert a claim of confidentiality regarding the information contained in Sierra Club's Direct Testimony of Devi Glick. Sierra Club also reserves the right to challenge the designation of the confidential material. However, the referenced information in Sierra Club's Direct Testimony was provided to Sierra Club by SWEPCO subject to SWEPCO's claim that the material is confidential Protected Material and/or HSPM, according to SWEPCO. Therefore, notice is given that Sierra Club has filed its testimony subject to SWEPCO's claim of confidentiality in this docket and has submitted copies of files containing confidential information under seal in sealed marked envelope(s) pursuant to the protective order.

Dated this 31st day of March, 2021.

Respectfully submitted,



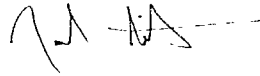
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*Counsel for Sierra Club*

### **CERTIFICATE OF SERVICE**

I, Joshua Smith, certify that a copy of the foregoing Sierra Club submission was served upon all parties of record in this proceeding on March 31, 2021, by First-class U.S. mail, hand delivery, and/or e-mail, as permitted by the presiding officer.



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Joshua Smith  
Senior Attorney  
Sierra Club Environmental Law Program